

**REAL ESTATE APPRAISERS BOARD  
MINUTES  
NOVEMBER 11, 2009**

**PRESENT:** Marla Britton, Sharon Fiedler, Micquel Hoffmann, Mark Kowbel, Karen Scott, Henry Simon

**STAFF:** Thomas Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Karen Rude-Evans, Bureau Assistant

**GUESTS:** Debbi Conrad, WRA; Vicki Ledbetter and Jenny Tidwell, ASFFIC Policy Managers

**CALL TO ORDER**

Marla Britton, Chair, called the meeting to order at 9:05 a.m. A quorum of six (6) members was confirmed.

**APPROVAL OF AGENDA**

**Amendments:**

- Open Session: In Item F (1), after page 123 – Add additional page from the red folder
- Closed Session: Additional Stipulations received after mailing of the agenda:
  - Robert Olzewski (**07 APP 124**)
  - Kathleen Niedzielski ( **08 APP 033, 08 APP 115, 09 APP 017, 09 APP 019**)
  - LaRhonda Black (**08 APP 044**)
  - Raymond Christ (**08 APP 081**)
  - Lynn Bell (**08 APP 089**)
- Closed Session: Additional Administrative Warnings received after mailing of the agenda:
  - R.S. (**08 APP 005**)
  - J.L. (**08 APP 104**)
  - D.D. (**09 APP 057**)
- Closed Session: Item E – Deliberation of Petition for Summary Suspension Hearing in the matter of disciplinary proceedings against John F. Hochrek (09 APP 036), has been withdrawn.

**MOTION:** Micquel Hoffman moved, seconded by Karen Scott, approve the agenda as amended. Motion carried unanimously.

## **APPROVAL OF MINUTES OF OCTOBER 7, 2009**

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to approve the Minutes of October 7, 2009 as written. Motion carried unanimously.

## **ELECTION OF OFFICERS**

The election of officers was held at the last meeting.

## **ADMINISTRATIVE REPORT**

### **Mark Kowbel's Last Meeting**

Today is the last meeting for board member Mark Kowbel. Thomas Ryan thanked Mr. Kowbel for his years of service and expertise. Mr. Kowbel was presented with a plaque from Governor Jim Doyle and a letter from the Governor, Secretary Celia Jackson and Thomas Ryan.

### **2010 Meeting Dates**

**MOTION:** Karen Scott moved, seconded by Mark Kowbel, to adopt the proposed meeting dates for 2010. Motion carried unanimously.

The 2010 meeting dates are:

February 24

May 19

August 25

November 10

### **Board Chair Reception and Training**

The Department has organized training for Board Chairs and Vice Chairs, which will take place in Madison on December 3-4. All Board Chairs and Vice Chairs are encouraged to attend.

### **Ruby Jefferson-Moore Is Retiring**

Ruby Jefferson-Moore announced to the Board that she is retiring next week. She has worked with the Real Estate Appraisers Board for more than 21 years. The Board members thanked her for her service and wished her well.

**REPORT FROM 2009 ASSOCIATION OF APPRAISER REGULATORY OFFICIALS  
(AARO) FALL CONFERENCE**

This item was deferred to the next meeting.

**INTRODUCTION OF AUDITORS FROM THE APPRAISAL SUBCOMMITTEE OF  
THE FINANCIAL INSTITUTIONS EXAMINING COUNCIL**

Vicki Ledbetter and Jenny Tidwell introduced themselves to the Board. Ms. Ledbetter has worked with the Wisconsin Board for the past four years. Auditors must rotate states every four years, so this is the last year for Ms. Ledbetter to work with Wisconsin. Jenny Tidwell will be the auditor for the next four years.

**PRESENTATION OF PROPOSED STIPULATIONS RECEIVED AFTER MAILING OF  
THE AGENDA**

**ROBERT A OLSZEWSKI (07 APP 124)**

DOE Attorney Mark Herman presented a proposed stipulation in the disciplinary matter concerning Robert Al Olszewski. This matter will be deliberated in closed session.

**LA RHONDA BLACK (08 APP 044)**

DOE Attorney Nick Schweitzer presented a proposed stipulation in the disciplinary matter concerning LaRhonda Black. This matter will be deliberated in closed session.

**AB 472 RELATING TO CERTIFICATION AND LICENSURE OF REAL ESTATE  
APPRAISERS AND REQUIREMENTS FOR APPRAISAL REPORTS AND GRANTING  
RULE-MAKING AUTHORITY**

The Board discussed AB 472 at length. Mary Reavey, Assessment Commissioner, City of Milwaukee, had planned to join the discussion via telephone however the Board was unable to reach her. The Board does not support this bill as amended as it “dilutes” the intentions of the original bill.

**MOTION:** Karen Scott moved, seconded by Sharon Fiedler, to have the Real Estate Appraisers Board go on record as not in favor of AB 472 as amended. Motion carried unanimously.

**MOTION:** Micquel Hoffmann moved, seconded by Karen Scott, to authorize Marla Britton to respond to the legislature on behalf of the Board. Motion carried unanimously.

## **LEGISLATION AND ADMINISTRATIVE RULES**

None.

## **PRACTICE ISSUES**

None.

## **BOARD MEMBER ACTIVITY**

None.

## **NEW BUSINESS**

None.

## **PUBLIC COMMENTS**

None.

## **CONVENE TO CLOSED SESSION**

**MOTION:** Karen Scott moved, seconded by Henry Simon, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Motion carried by roll call vote: Marla Britton-yes, Sharon Fiedler-yes; Micquel Hoffman-yes; Mark Kowbel-yes; Karen Scott-yes; and Henry Simon-yes.

Open Session recessed at 10:11 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to reconvene into Open Session. Motion carried unanimously.

Open session reconvened at 1:20 p.m.

**REVIEW OF AUDIT FROM THE APPRAISAL SUBCOMMITTEE OF THE FEDERAL FINANCIAL INSTITUTIONS EXAMINING COUNCIL**

Auditors Vicki Ledbetter and Jenny Tidwell gave a lengthy presentation on the audit and their findings. The Board members were pleased with the results of the audit.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON  
IN CLOSED SESSION**

**PROPOSED STIPULATIONS**

**JOSEPH GENTILI**  
**(07 APP 098, 08 APP 096, 09 APP 044)**

**MOTION:** Micquel Hoffmann moved, seconded by Karen Scott, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Joseph Gentili. Motion carried unanimously.

**LAWRENCE ZEGERS (08 APP 007)**

**MOTION:** Karen Scott moved, seconded by Mark Kowbel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Lawrence Zegers. Motion carried unanimously.

**ROSS A LARSSON (08 APP 052)**

**MOTION:** Micquel Hoffmann moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and order in the matter concerning Ross A. Larsson. Motion carried unanimously.

**DAVID MOULTON (08 APP 063)**

**MOTION:** Karen Scott moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning David Moulton. Motion carried unanimously.

**LAURA JEAN KLOTZBUECHER (08 APP 074)**

**MOTION:** Mark Kowbel moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Laura Jean Klotzbuecher. Motion carried unanimously.

**ANTHONY DARGA (08 APP 090)**

**MOTION:** Karen Scott moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning David Moulton subject to corrected USPAP standards rules. Motion carried unanimously.

**BRIAN C SPANOS (07 APP 107)**

**MOTION:** Miquel Hoffmann moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Brian C. Spanos. Motion carried unanimously.

**MICHAEL D BEALS (08 APP 111)**

**MOTION:** Henry Simon moved, seconded by Mark Kowbel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Michael D. Beals. Motion carried unanimously.

**MARK BLUE (09 APP 064)**

**MOTION:** Miquel Hoffmann moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order and the voluntary surrender of license in the matter concerning Mark Blue. Motion carried unanimously.

**CATHLEEN NEIS (09 APP 068)**

**MOTION:** Sharon Fiedler moved, seconded by Mark Kowbel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order and the voluntary surrender of license in the matter concerning Cathleen Neis. Motion carried unanimously.

**VANESSA CLAYPOOL (08 APP 113)**

**MOTION:** Karen Scott moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Vanessa Claypool. Motion carried unanimously.

**KATHLEEN NIEDZIELSKI  
(08 APP 033, 08 APP 115, 09 APP 017, 09 APP 019)**

**MOTION:** Karen Scott moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Kathleen Niedzielski. Motion carried unanimously.

**LA RHONDA BLACK (08 APP 044)**

**MOTION:** Karen Scott moved, seconded by Mark Kowbel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning LaRhonda Black subject to editing with the correct USPAP standards rules and clarification of the education requirement. Motion carried unanimously.

**RAYMOND CHRIST (08 APP 081)**

**MOTION:** Mark Kowbel moved, seconded by Henry Simon, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Raymond Christ. Motion carried unanimously.

**LYNN BELL (08 APP 089)**

**MOTION:** Micquel Hoffman moved, seconded by Mark Kowbel, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Lynn Bell subject to the corrected USPAP standards rules. Motion carried unanimously.

**LARRY W FOLTZ (07 APP 059)**

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter concerning Larry W. Foltz. Motion carried unanimously.

**ORDER FIXING COSTS**

**KEVIN E WILDER (LS 0808281 APPP)**

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to adopt the Order Fixing Costs in the matter concerning Kevin E. Wilder. Motion carried. Karen Scott abstained.

**ADMINISTRATIVE WARNINGS**

**R.S. (08 APP 005)**

**MOTION:** Sharon Fiedler moved, seconded by Karen Scott, to issue an Administrative Warning to R.S. in case **08 APP 005**. Motion carried unanimously.

**J.L. (08 APP 104)**

**MOTION:** Mark Kowbel moved, seconded by Sharon Fiedler, to reject the proposed Administrative Warning against J.L. in case **08 APP 104** and to return the case to the Division of Enforcement for further review. Motion carried unanimously.



**D.D. (09 APP 057)**

**MOTION:** Sharon Fiedler moved, seconded by Karen Scott, to issue an Administrative Warning to D.D. in case **09 APP 057**. Motion carried unanimously.

**MONITORING REPORTS**

**DANIEL CRIBBEN  
REQUEST FOR FULL LICENSURE**

The Board deferred making a decision at this time.

**COLLEEN LITFEN  
REQUEST FOR REINSTATEMENT**

The Board deferred making a decision at this time.

**MARTIN ROSE  
REQUEST FOR MODIFICATION**

**MOTION:** Karen Scott moved, seconded by Mark Kowbel, to grant a six month extension of time to complete continuing education and to make the first payment to Martin Rose. Motion carried unanimously.

**CASE CLOSINGS**

**08 APP 037**

**MOTION:** Karen Scott moved, seconded by Mark Kowbel, to close case **08 APP 037** for insufficient evidence. Motion carried unanimously.

**07 APP 080**

**MOTION:** Mark Kowbel moved, seconded by Karen Scott, to close case **07 APP 080** for prosecutorial discretion (P3). Motion carried unanimously.

**08 APP 086**

**MOTION:** Karen Scott moved, seconded by Henry Simon, to close case **08 APP 086** for insufficient evidence. Motion carried unanimously.

**DOE – SIGNATURES FOR PROPOSED STIPULATIONS, ORDERS AND  
ADMINISTRATIVE WARNINGS**

Signatures were obtained for all documents that were complete and adopted by the Board.

**MOTION:** Henry Simon moved, seconded by Mark Kowbel, to authorize Thomas Ryan to sign the corrected stipulations, when available, on behalf of the Board. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Henry Simon moved, seconded by Mark Kowbel, to adjourn. Motion carried unanimously.

The meeting adjourned at 2:24 p.m.

**THE NEXT MEETING IS FEBRUARY 24, 2010**